

- (b) contacting the botanical material in a vessel with a blend of tetrafluoroethane and at least one organic solvent having a boiling point above 22° C to dissolve the organic component in the solvent blend;
  - (c) removing the remaining botanical material from the solution of the organic component and the solvent blend; and
  - (d) removing the solvent blend to isolate a liquid, oily product containing the organic component which has antioxidant activity that is improved over an organic component extracted in the absence of the organic solvent.
2. The process of claim 1, wherein the organic solvent is selected from the group consisting of acetone, ethanol, ethylene chloride, hexane, isopropanol, methanol, methylene chloride, and propylene glycol.
5. The process of claim 4, wherein the organic solvents are selected from the group consisting of acetone, hexane, and methanol.
15. The process of claim 1, wherein the liquid, oily product is readily soluble in an edible oil.
18. A preservative for foods and animal feedstuffs, comprising a mixture of the liquid, oil product obtained from the process of claim 1 and an edible oil.
19. An orally administered antioxidant for humans and animals, comprising a mixture of the liquid, oily product obtained from the process of claim 1 and an edible oil.

20. A preservative for foods and animal feedstuffs, comprising a mixture of an edible oil and a liquid, oily product obtained from a solvent extraction process, the extraction process comprising the steps of:

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- (a) identifying a botanical material from a plant of the group consisting of rosemary, sage, hyssop, oregano, thyme, basil, marjoram, spearmint, dittany, and lavender;
  - (b) contacting the botanical material in a vessel with a blend of tetrafluoroethane and at least one organic solvent having a boiling point above 22° C to dissolve the organic component in the solvent blend;
  - (c) removing the remaining botanical material from the solution of the organic component and the solvent blend; and
  - (d) removing the solvent blend to isolate the liquid, oily product containing the organic component which has antioxidant activity that is improved over an organic component extracted in the absence of the organic solvent.

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Cancel claims 13 – 14, and 16 - 17 without prejudice.

Kindly add new claim 22:

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A process for extracting an antioxidant component from botanical material, comprising the steps of:

- (a) selecting the botanical material from a plant of the family Labiatae that produces one or more antioxidant compounds selected from the group consisting of carnosol, carnosic acid, rosmanol, and rosmarinic acid;

- (b) contacting the botanical material in a vessel with a blend of tetrafluoroethane and at least one organic solvent having a boiling point above 22° C to dissolve the antioxidant component in the solvent blend;
- (c) removing the remaining botanical material from the solution of the antioxidant component and the solvent blend; and
- (d) removing the solvent blend to isolate a liquid, oily product containing the antioxidant component which has antioxidant activity that is improved over an antioxidant component extracted in the absence of the organic solvent.

#### REMARKS

Claims 1-16, 20 and 21 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains to make or use the invention. Claim 17 was found to be allowable if written in independent form including all of the limitations of its base claim. Claim 17 recites that the botanical material comes from *Rosemarinus officinalis* and that the natural organic component extracted by the method has antioxidant activity enhanced over extraction by TFE alone. The Section 112 rejection is traversed in light of amendments that have been made to the claims to limit them to botanical material of Labiatae species which are known to produce the antioxidant compounds carnosol, carnosic acid, rosmanol and/or rosmarinic acid.

As pointed out by the Examiner, the examples in the specification of the application are limited to the extraction of botanical material collected from plants of the species *Rosemarinus officinalis*. There is nothing inherent in the claimed process, however, that limits it to the extraction of organic compounds from botanical material of plants of a particular species and